

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Frank Montgoris	Team: Squad #7	CCRB Case #: 201604922	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Tuesday, 06/07/2016 6:30 AM	Location of Incident: Commodore Barry Park	Precinct: 88	18 Mo. SOL 12/7/2017	EO SOL 12/7/2017	
Date/Time CV Reported Tue, 06/07/2016 4:09 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 06/07/2016 4:09 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Gregory Pahl	18624	937237	TB CAN

Officer(s)	Allegation	Investigator Recommendation
A.POM Gregory Pahl	Discourtesy: Police Officer Gregory Pahl spoke discourteously to #####.	
B.POM Gregory Pahl	Abuse: Police Officer Gregory Pahl threatened to damage #####'s property.	

Case Summary

On June 7, 2016, at approximately 6:30 a.m., [REDACTED] was at Commodore Barry Park, in Brooklyn, with his dog, Jasper. [REDACTED] took Jasper off of his leash, and Jasper approached PO Gregory Pahl, from the Transit Canine Unit, who was throwing a ball to his canine partner, Chuck. PO Pahl dragged Jasper back to [REDACTED] and allegedly said, “You’re lucky I didn’t shoot your fucking dog” (**Allegations A and B**). [REDACTED] explained to PO Pahl that Jasper was just a puppy, and PO Pahl allegedly responded, “You’re fucking lucky I didn’t shoot your puppy” (**Within Allegations A and B**). No arrests or summonses resulted from this incident.

Mediation, Civil, and Criminal Histories

[REDACTED] accepted mediation during his in-person statement. However, this case was returned from mediation on August 3, 2016 by the request of [REDACTED] due to an unsuccessful mediation session. [REDACTED] [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

[REDACTED] A Notice of Claim request was submitted with the New York City Comptroller and it was determined that as of August 12, 2016, days after the mandatory 90-day filing period, [REDACTED] has not filed a Notice of Claim regarding this incident (Board Review 02).

Civilian and Subject Officer CCRB Histories

- This is [REDACTED]’s first CCRB complaint (Board Review 03).
- PO Pahl has been a member of the NYPD for 11 years. PO Pahl has been the subject of one prior complaint stemming from Case #200614125, in which a refusal to provide name and shield number allegation was unfounded. [REDACTED] [§ 87(2)(g)]

Findings and Recommendations

Allegation A – Discourtesy: Police Officer Gregory Pahl spoke discourteously to [REDACTED]

[REDACTED]

Allegation B – Abuse of Authority: Police Officer Gregory Pahl threatened to damage

[REDACTED]’s property.

[REDACTED] alleged that he was with his dog Jasper, a Sato breed, in the park when he observed PO Pahl throw a ball intended for his dog, Chuck. [REDACTED] let Jasper off of his leash because Jasper was excited and wanted to play. PO Pahl threw the ball a second time, and Jasper chased after it with Chuck. Chuck caught the ball and brought it back to PO Pahl, while Jasper followed. PO Pahl then shoved Jasper approximately two or three times with his arm. Jasper, believing that PO Pahl was playing with him, continued approaching PO Pahl. PO Pahl then grabbed Jasper by his collar, dragged him “violently” towards [REDACTED] and threw him towards [REDACTED]. PO Pahl then stated to [REDACTED], “You’re lucky I didn’t shoot your fucking dog.” [REDACTED] explained to PO Pahl that Jasper was just a puppy, and PO Pahl responded, “You’re fucking lucky I didn’t shoot your puppy” (Board Review 04).

PO Pahl stated that he threw a ball for Chuck, who then ran to retrieve it. As Chuck was headed back towards PO Pahl, Jasper, who was approximately five to ten pounds smaller than Chuck, ran in a “bee line” towards both PO Pahl and Chuck. PO Pahl observed Jasper and, unsure of Jasper’s intentions, immediately told Chuck to heel. Chuck obeyed and ran towards PO Pahl’s

side. PO Pahl then stepped in between the dogs, and attempted to push Jasper away. Jasper kept approaching PO Pahl, so he grabbed Jasper by the collar and “dragged” him over to [REDACTED], who was approximately 30 to 40 yards away. PO Pahl did not recall Jasper barking, growling, or acting aggressively during the interaction. PO Pahl did not recall whether he stated to [REDACTED] [REDACTED] “You’re lucky I didn’t shoot your fucking dog,” nor did he remember saying, “You’re fucking lucky I didn’t shoot your puppy” (Board Review 05).

Police officers are prohibited from discharging their weapons at a dog except to protect any person present from imminent physical injury, with no other reasonable means to eliminate the threat. NYPD Patrol Guide, Section 221-01 (Board Review 06). Police officers must be courteous and respectful when dealing with the general public. NYPD Patrol Guide, Section 203-09 (Board Review 07).

Throughout the course of the investigation, [REDACTED] provided two separate statements to the CCRB: an initial phone statement, and a sworn, in-person statement. § 87(2)(g)

[REDACTED]

Conversely, PO Pahl recalled and acknowledged every detail of this event, including his attempts to push Jasper away, him “dragging” Jasper back to [REDACTED], and [REDACTED]’s rebuttal toward PO Pahl that Jasper was “just a puppy,” yet, PO Pahl was unable to outright deny that he used discourteous language or threats toward [REDACTED], as this was the only portion of the incident that he maintained he did not recall. § 87(2)(g)

[REDACTED]

Squad: 7

Investigator: _____
Signature Print Date

Squad Leader: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date